

## REMARKS

### **Status of Claims**

This amendment is in response to the Office Action dated January 24, 2008 (the “Office Action”). Claims 12-44 are pending in the application. Claims 12, 15, 35-38, 40-41 and 44 have been amended. No new matter has been added. Support for the claim amendments may be found at least in paragraphs 0034 and 0042 of the specification.

### **Claims 35-44 are Allowable**

The Office has rejected claims 35-44, at paragraph 2 of the Office Action, under 35 U.S.C. §112, as failing to comply with the enablement requirement. Applicants respectfully traverse the rejections.

Support for the features of claims 35-44 may be found in at least paragraphs 0034 and 0042, and FIG. 5 of the application. Applicants respectfully request that the Office withdraw the §112 rejections of claims 35-44.

### **Claims 12, 13, 17-20, 35 and 42 are Allowable**

The Office has rejected claims 12, 13, 17-20, 35 and 42, under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 7,113,500 (“Bollinger”). Applicants respectfully traverse the rejections.

The cited portions of Bollinger do not disclose or suggest the specific combination of claim 12. For example, the cited portions of Bollinger fail to disclose or suggest that when a call received at a telecommunications gateway (TCG) associated with a called telephone number is not a VDN call, the call is connected to a telephone physically connected to the TCG, as in claim 12.

In contrast to claim 12, the cited portions of Bollinger describe determining that a call is an inbound international call, parsing down the termination number, and “routing over the PSTN for termination at a phone located in a different area code than the 312 code of FIG. 3’s gateway 16.” *See* Bollinger, col. 12, line 62 to col. 13, line 3 (Emphasis Added). In Bollinger, the call is connected to a remote telephone, not to a telephone physically connected to the TCG, as in claim

12. Therefore, the cited portions of Bollinger fail to disclose or suggest at least one element of claim 12. Hence, claim 12 is allowable.

Claims 13 and 17-20 depend from claim 12, which Applicants have shown to be allowable. Therefore, claims 13 and 17-20 are allowable, at least by virtue of their dependence from claim 12.

The cited portions of Bollinger do not disclose or suggest the specific combination of claim 35. For example, the cited portions of Bollinger fail to disclose or suggest instructions executable by the processor to connect the call to a telephone physically connected to the device when the incoming call is not a call to the remote destination device, as in claim 35.

In contrast to claim 35, the cited portions of Bollinger describe determining that a call is an inbound international call, parsing down the termination number, and “routing over the PSTN for termination at a phone located in a different area code than the 312 code of FIG. 3’s gateway 16.” *See Bollinger, col. 12, line 62 to col. 13, line 3 (Emphasis Added).* In Bollinger, the call is connected to a remote telephone, not to a telephone physically connected to the TCG, as in claim 35. Therefore, the cited portions of Bollinger fail to disclose or suggest at least one element of claim 35. Hence, claim 35 is allowable.

Claim 42 depends from claim 35, which Applicants have shown to be allowable. Therefore, claim 42 is allowable, at least by virtue of its dependence from claim 35.

### **Claims 14-16 are Allowable**

The Office has rejected claims 14-16, under 35 U.S.C. §103(a), as being unpatentable over Bollinger in view of U.S. Patent No. 6,351,464 (“Galvin”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Bollinger fail to disclose or suggest at least one element of claim 12, from which claims 14-16 depend. The cited portions of Galvin fail to disclose or suggest the elements of claim 12 not disclosed or suggested by the cited portions of Bollinger. For example, the cited portions of Galvin fail to disclose or suggest that when a call received at a telecommunications gateway (TCG) associated with a called telephone number is not a VDN call, the call is connected to a telephone physically connected to the TCG, as in claim

12, from which claims 14-16 depend. Instead, the cited portions of Galvin describe an automatic call processing system (ACP) that calls each of the numbers of a calling profile for a called party until the party is reached. *See Galvin, Abstract.* Therefore, claims 14-16 are allowable.

### **Claims 21-22 are Allowable**

The Office has rejected claims 21-22, under 35 U.S.C. §103(a), as being unpatentable over Bollinger in view of U.S. Patent No. 6,700,956 (“Chang”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Bollinger fail to disclose or suggest at least one element of claim 12, from which claims 21-22 depend. The cited portions of Chang fail to disclose or suggest the elements of claim 12 not disclosed or suggested by the cited portions of Bollinger. For example, the cited portions of Chang fail to disclose or suggest that when a call received at a telecommunications gateway (TCG) associated with a called telephone number is not a VDN call, the call is connected to a telephone physically connected to the TCG, as in claim 12, from which claims 21-22 depend. Instead, the cited portions of Chang describe selectively providing telephone service that is either PSTN-based or Internet-based using a standard analog telephone circuit. *See Chang, Abstract.* The apparatus of Chang permits an analog telephone to be toggled between an Internet-based mode and a PSTN-mode by inputting a predetermined sequence of DTMF digits. *See Chang, Abstract.* However, Chang does not disclose that when a call received at a telecommunications gateway (TCG) associated with a called telephone number is not a VDN call, the call is connected to a telephone physically connected to the TCG, as in claim 12. Rather, Chang discloses toggling between Internet-based and PSTN-based modes for outgoing calls, not for rerouting incoming calls. Therefore, claims 21-22 are allowable.

### **Claims 23-26 and 40 are Allowable**

The Office has rejected claims 23-26 and 40, under 35 U.S.C. §103(a), as being unpatentable over Bollinger in view of U.S. Patent No. 6,507,686 (“Smyk”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Bollinger fail to disclose or suggest at least one element of claim 12, from which claims 23-26 and 40 depend. The cited portions of Smyk fail to disclose or suggest the elements of claim 12 not disclosed or suggested by the cited portions of

Bollinger. For example, the cited portions of Smyk fail to disclose or suggest that when a call received at a telecommunications gateway (TCG) associated with a called telephone number is not a VDN call, the call is connected to a telephone physically connected to the TCG, as in claim 12, from which claims 23-26 depend. Instead, the cited portions of Smyk describe an Internet telephony gateway for use at a communication service provider. Further, Smyk indicates that “Internet telephony gateways allow parties that only subscribe to ‘plain old telephone service’ (POTS), but do not have Internet equipped computers and an account with an Internet service provider, to talk to each other through the Internet”. *See* Smyk, col. 1, lines 52-56. Therefore, claims 23-26 are allowable.

Further, as explained above, the cited portions of Bollinger fail to disclose or suggest at least one element of claim 35, from which claim 40 depends. The cited portions of Smyk fail to disclose or suggest the elements of claim 35 not disclosed or suggested by the cited portions of Bollinger. For example, the cited portions of Smyk fail to disclose or suggest instructions executable by the processor to connect the call to a telephone physically connected to the device when the incoming call is not a call to the remote destination device, as in claim 35, from which claim 40 depends. Instead, the cited portions of Smyk describe an Internet telephony gateway for use at a communication service provider. Further, Smyk indicates that “Internet telephony gateways allow parties that only subscribe to ‘plain old telephone service’ (POTS), but do not have Internet equipped computers and an account with an Internet service provider, to talk to each other through the Internet”. *See* Smyk, col. 1, lines 52-56. Therefore, claim 40 is allowable.

### **Claims 36-39, 41 and 43-44 are Allowable**

The cited portions of Bollinger fail to disclose or suggest at least one element of claim 35, from which claims 36-39, 41 and 43-44 depend. As noted above, the cited portions of Galvin, Chang, and Smyk, individually or in combination, fail to disclose or suggest the elements of claim 35 not disclosed or suggested by the cited portions of Bollinger. Therefore, claims 36-39, 41 and 43-44 are allowable.

## CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the cited references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

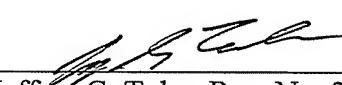
The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

4-23-2008

Date

  
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